



**US Army Corps
of Engineers.**

Nashville District

Public Notice

Public Notice No. **05-79**

Date: **September 22, 2005**

Application No. **200501989**

Please address all comments to: Nashville District Corps of Engineers,
Regulatory Branch (Attn: K. Wade Whittinghill), 3701 Bell Road, Nashville, TN
37214. Telephone (615) 369-7511. Fax (615) 369-7501.

JOINT PUBLIC NOTICE US ARMY CORPS OF ENGINEERS TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Commercial Marine Railway for Barge Extraction, Tennessee River Mile 9.7, Marshall County, Kentucky

TO ALL CONCERNED: The project described below has been submitted for a Department of the Army (DA) permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**.

APPLICANT: James Marine, Inc./Paducah River Painting
P.O. Box 2305
Paducah, KY 42002-2305

LOCATION: Tennessee River Mile 9.7, Left Bank, Marshall County, Kentucky. USGS Little Cypress, KY Quadrangle Map, Lat: 37°-01'-29.0280"/ Long: 88°-27'-21.8880". See Location Maps (Exhibit A).

DESCRIPTION: The proposed work consists of the construction of a commercial marine way. The purpose of the project is to expand the applicant's adjacent existing facility with marine ways located just upstream. These marine ways are used to extract barges from the river in support of the facility's maintenance/painting operation. The proposed marine ways would be used to extract barges from the river for the same purpose in support of the expanded facility's maintenance/painting operation.

The marine way would be composed of six steel beam tracks. Each track would be 325 feet long extending from a point approximately 10 feet below the water's surface at pool stage, Elevation 302 feet, to a point well back from the top of bank. Each of the three pairs of tracks would be spaced 30 feet apart and the three sets would be spaced 75 feet apart. The six steel beam tracks would be supported by steel reinforced concrete pilings driven into the river bed, spaced on 10 feet centers for a total of 33 pilings per track. See site plans (Exhibit B).

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the work, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

The National Register of Historic Places has been consulted and no known properties listed in or eligible for the National Register are known would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the state historic preservation officer.

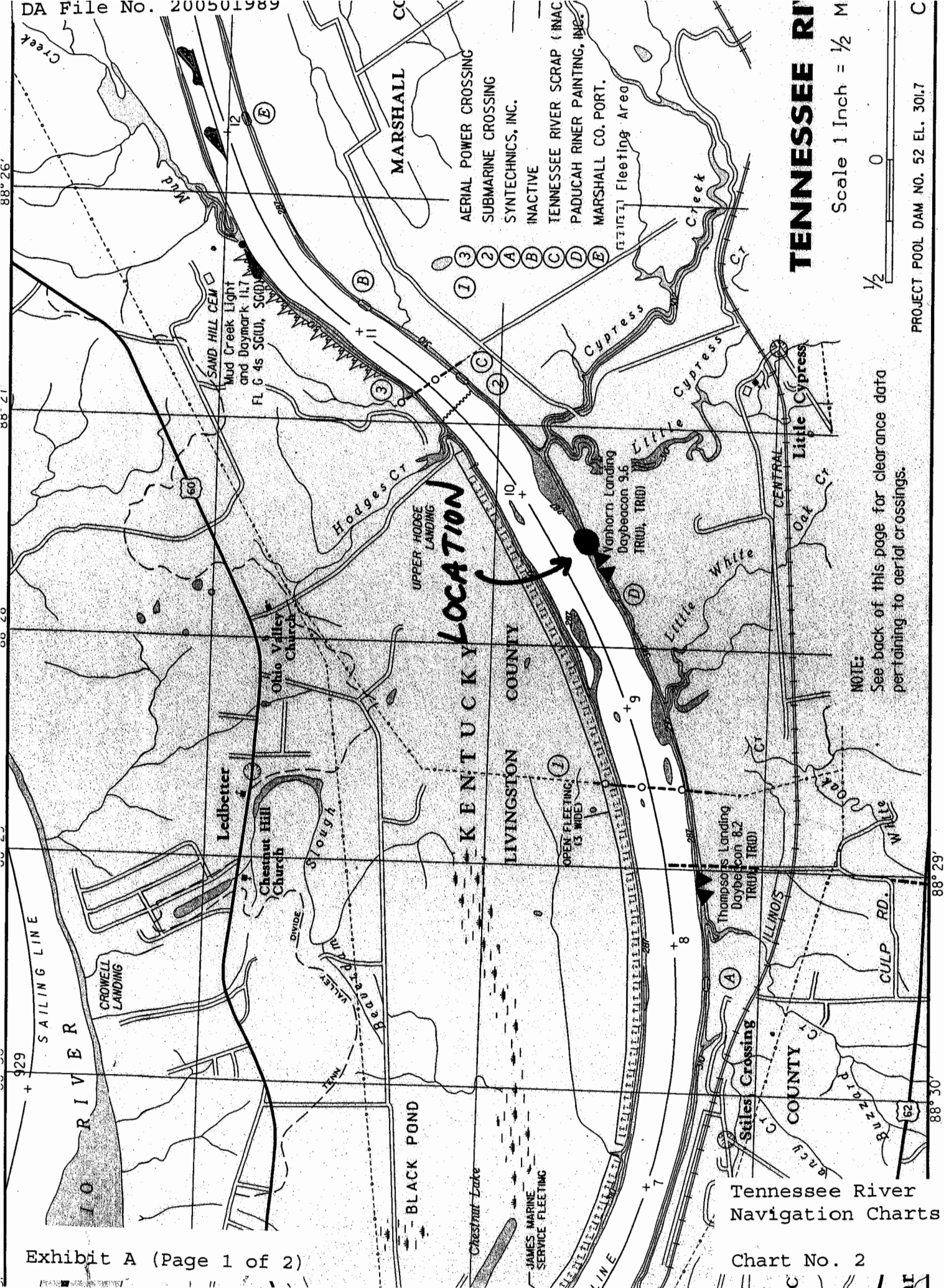
Based on available information, the following federally-protected species may occur in the area of proposed impact: Six federally endangered mussel species (fat pocketbook, orange foot pimpleback, pink mucket, ring pink, clubshell, and the fanshell), federally-endangered Indiana bat, and the federally-threatened bald eagle. However, at this time, insufficient information exists to make an effect determination. We are initiating informal consultation with the US Fish and Wildlife Service necessary to fulfill our obligations under Section 7 of the Endangered Species Act.

Other federal, state, and/or local approvals may be required for the proposed work.

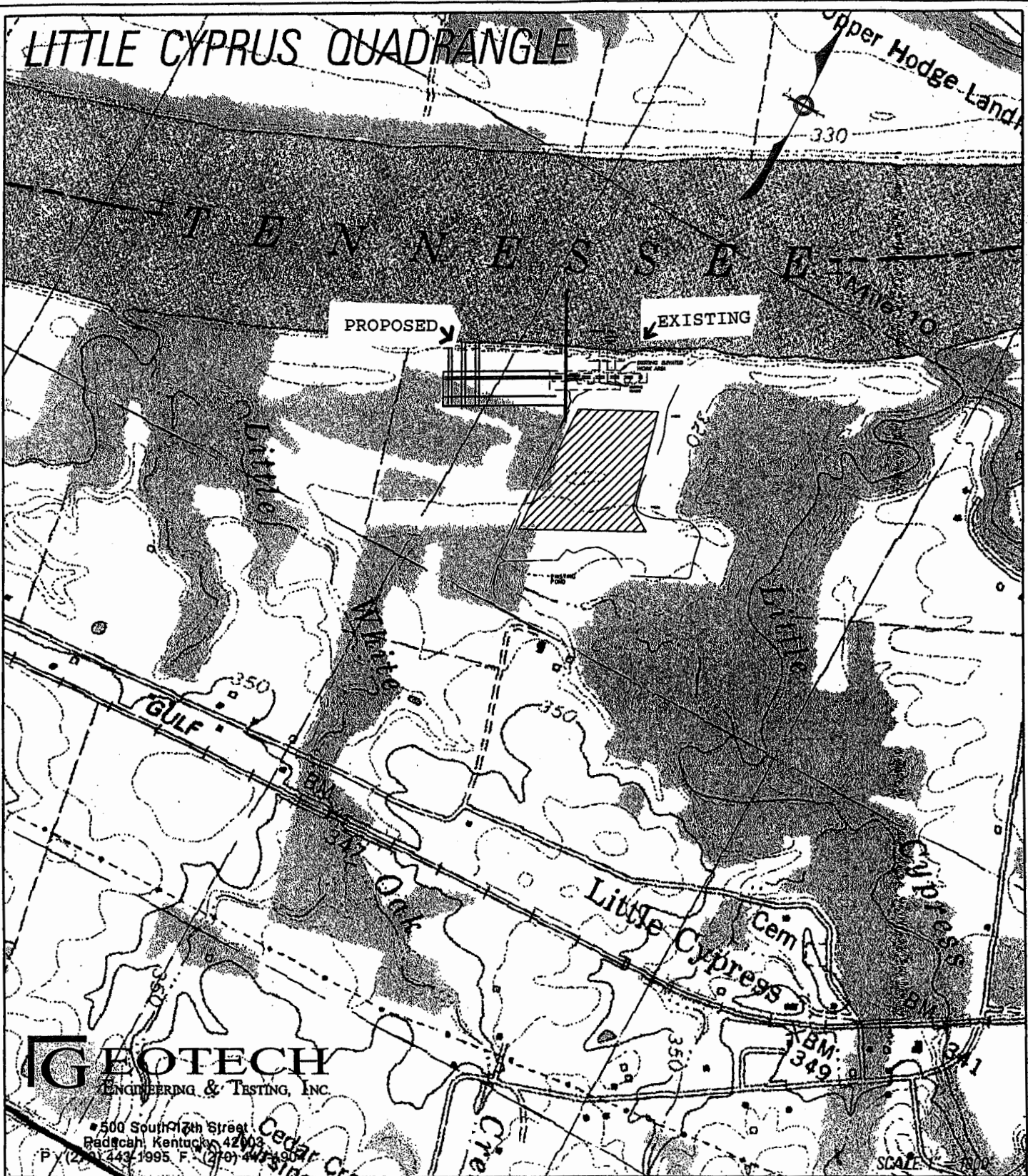
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Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a hearing. Written statements received in this office on or before **October 24, 2005** will become a part of the record and will be considered in the determination.

Any response to this notice should be directed to the Regulatory Branch, Attn: K. Wade Whittinghill, at the above address. It is not necessary to comment separately to the Tennessee Valley Authority (TVA) since copies of all comments will be sent to them to become part of their records on the proposal. Point of contact with TVA is Rachel Terrell, P.O. Box 280, Paris, TN 38242, telephone (901) 642-2002.



LITTLE CYPRUS QUADRANGLE



GEOTECH
ENGINEERING & TESTING, INC.

500 South 17th Street
Paducah, Kentucky 42003
P: (270) 443-1995 F: (270) 443-9047

NOTES

TOTAL CONSTRUCTION WILL REQUIRE
APPROXIMATELY 169,000 CY OF FILL
WHICH WILL BE TAKEN FROM WITHIN
THE FLOODPLAIN.

100 YR WSEL IS 342.50

APPLICATION TO:

U.S. Army Corps of Engineers
Nashville District
U.S. Court House Annex
110 9th Avenue South
Nashville, TN. 37202

PROPOSED ACTIVITIES:

PADUCAH RIVER PAINT EXPANSION

STREAM NAME: TENNESSEE RIVER

AT OR NEAR:

COUNTY OF: MARSHALL

STATE OF: KENTUCKY

MILE POINT: 9.69

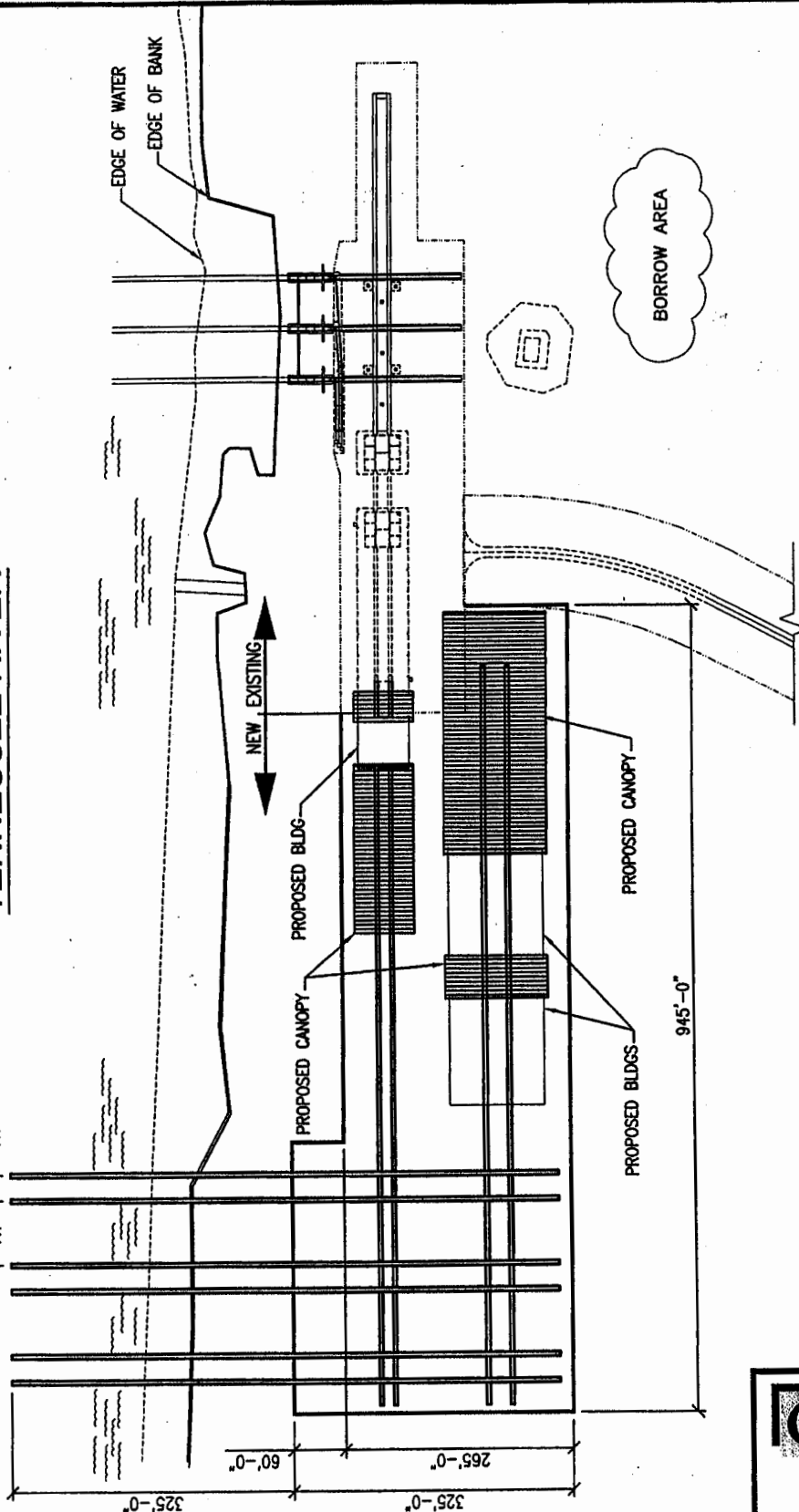
DATE:

SHEET NO.:



TENNESSEE RIVER

75'-0" TYP
30'-0" TYP



PLAN VIEW - NEW ELEVATED WORK AREA

(N.T.S.)

IG EOTECH
ENGINEERING & TESTING, INC.
500 SOUTH 17th STREET
PADUCAH, KENTUCKY 42003
P-270.443.1995 F-270.443.1904

~NOTES~

- 100 YR WSEL IS 342.50
- RIP-RAP WILL BE USED AS BANK STABILIZATION
- RAILS ENTER WATER AT APPROX. MILE 9.4
- PILES WILL CONSIST OF (198) HP 14x53
- WAYS WILL BE CONSTRUCTED ON DRY LAND & DIVERS WILL INSTALL IT ON THE PILING IN THE WATER

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PROPOSED ACTIVITIES: PADUCAH RIVER PAINT EXPANSION - PHASE II

STREAM NAME: TENNESSEE RIVER

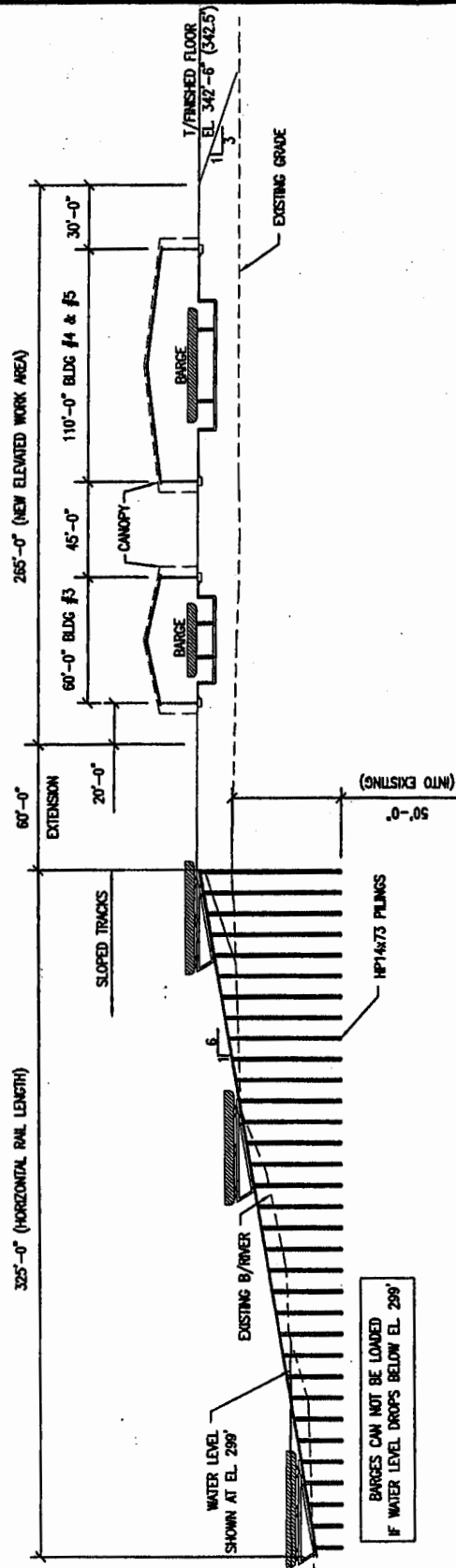
AT OR NEAR:

COUNTY OF: MARSHALL

STATE OF: KENTUCKY

MILE POINT: 9.69

SHEET NO.:



NEW ELEVATED WORK AREA
VIEW LOOKING EAST
 (N.T.S.)

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